

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Jeremy L. Logsdon**  
**Delayne A. Logsdon**  
Debtor(s)

Bankruptcy Case No.: 18-10113-TPA  
Per November 13, 2018 Proceeding  
Chapter: 13  
Docket No.: 39 – 28, 38  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated May 18, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,172.00 as of November 2018. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Wells Fargo Bank, N.A. (Claim No. 8) .
- ☒ H. Additional Terms: The secured claims of the following Creditors shall govern as to claim amount, to be paid at the modified plan terms: Capital One Auto Finance (Claim No. 6) and Ally Bank (Claim No. 5).

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge  
United States Bankruptcy Court

Dated: November 15, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Jeremy L. Logsdon  
 Delaynne A. Logsdon  
 Debtors

Case No. 18-10113-TPA  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-1

User: jmar  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 41

Date Rcvd: Nov 15, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 17, 2018.

db/jdb  
 14771843 ++Jeremy L. Logsdon, Delaynne A. Logsdon, 68 South Street, Union City, PA 16438-1224  
 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
 (address filed with court: Bank Of America, Po Box 982238, El Paso, TX 79998)  
 14816482 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284  
 14771844 +Barclays Bank Delaware, Po Box 8803, Wilmington, DE 19899-8803  
 14771846 ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034  
 (address filed with court: Cbna, 50 Northwest Point Road, Elk Grove Village, IL 60007)  
 14808253 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701  
 14771847 +Chase Auto, Po Box 901003, Ft Worth, TX 76101-2003  
 14771848 +Chase Card, Po Box 15298, Wilmington, DE 19850-5298  
 14771851 +Comenity Bank / My Points Reward, Po Box 182120, Columbus, OH 43218-2120  
 14771852 +Discover Bank, 502 East Market Street, Greenwood, DE 19950-9700  
 14771857 ++PayPal Credit, PO Box 105658, Atlanta, GA 30348-5658  
 14771858 +Saint Vincent Health Center, 232 West 25th Street, Erie, PA 16544-0001  
 14771865 +The Home Depot / Cbna, Po Box 6497, Sioux Falls, SD 57117-6497  
 14795537 Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438  
 14771867 +Wells Fargo Financial National Bank, Po Box 94498, Las Vegas, NV 89193-4498

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 cr

+E-mail/PDF: acg.acg.ebn@americaninfosource.com Nov 16 2018 03:18:43  
 Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS,  
 Oklahoma City, OK 73118-7901  
 14775831 E-mail/Text: ally@ebn.phinsolutions.com Nov 16 2018 03:16:38 Ally Bank, PO Box 130424,  
 Roseville MN 55113-0004  
 14771842 +E-mail/Text: ally@ebn.phinsolutions.com Nov 16 2018 03:16:38 Ally Financial,  
 200 Renaissance Center, Detroit, MI 48243-1300  
 14771845 +E-mail/PDF: AIS.COAF.EBN@Americaninfosource.com Nov 16 2018 03:18:48  
 Capital One Auto Finance, 3901 Dallas Parkway, Plano, TX 75093-7864  
 14777459 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Nov 16 2018 03:18:43  
 Capital One Auto Finance, c/o AIS Portfolio Servic, P.O. Box 4360, Houston, TX 77210-4360  
 14771849 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 16 2018 03:16:52 Comenity Bank / Buckle,  
 Po Box 182789, Columbus, OH 43218-2789  
 14771850 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 16 2018 03:16:52  
 Comenity Bank / Gander Mountain, Po Box 182789, Columbus, OH 43218-2789  
 14771853 E-mail/Text: mrdiscen@discover.com Nov 16 2018 03:16:39 Discover Financial Services LLC,  
 Po Box 15316, Wilmington, DE 19850  
 14775078 E-mail/Text: mrdiscen@discover.com Nov 16 2018 03:16:39 Discover Bank,  
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
 14774026 +E-mail/Text: dplbk@discover.com Nov 16 2018 03:17:55 Discover Personal Loans,  
 PO Box 30954, Salt Lake City, UT 84130-0954  
 14771854 E-mail/Text: bnckohlsnotices@becket-lee.com Nov 16 2018 03:16:43 Kohls / Capital One,  
 N56 West 17000 Ridgewood Drive, Menomonee Falls, WI 53051  
 14771855 +E-mail/Text: bk@lendingclub.com Nov 16 2018 03:18:00 Lending Club Corporation,  
 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985  
 14854278 +E-mail/Text: bk@lendingclub.com Nov 16 2018 03:18:00 LendingClub Corporation,  
 71 Stevenson Street, Suite 1000, San Francisco, CA 94105-2967  
 14771856 E-mail/Text: camanagement@mtb.com Nov 16 2018 03:16:51 M & T Bank, 1 Fountain Plaza,  
 Buffalo, NY 14203  
 14786970 E-mail/Text: camanagement@mtb.com Nov 16 2018 03:16:51 M&T Bank, P.O. Box 1288,  
 Buffalo, NY 14240-1288  
 14796390 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 16 2018 03:18:43  
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
 14772668 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 16 2018 03:19:09  
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 14812637 E-mail/Text: bnc-quantum@quantum3group.com Nov 16 2018 03:16:59  
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788  
 14805806 E-mail/Text: bnc-quantum@quantum3group.com Nov 16 2018 03:16:59  
 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788  
 14771859 +E-mail/PDF: gecsedirecoverycorp.com Nov 16 2018 03:19:03 Synch / Car Care Discount Tire,  
 Po Box 965036, Orlando, FL 32896-5036  
 14771860 +E-mail/PDF: gecsedirecoverycorp.com Nov 16 2018 03:18:38 Synch / Golfsmith,  
 950 Forrer Boulevard, Kettering, OH 45420-1469  
 14771861 +E-mail/PDF: gecsedirecoverycorp.com Nov 16 2018 03:19:02 Synch / JCPenney Dc,  
 Po Box 965007, Orlando, FL 32896-5007  
 14771862 +E-mail/PDF: gecsedirecoverycorp.com Nov 16 2018 03:19:03 Synch / Walmart, Po Box 965024,  
 Orlando, FL 32896-5024  
 14771863 +E-mail/PDF: gecsedirecoverycorp.com Nov 16 2018 03:19:03 Synch / Walmart Dc,  
 Po Box 965024, Orlando, FL 32896-5024  
 14771864 +E-mail/PDF: gecsedirecoverycorp.com Nov 16 2018 03:18:37 Synch / Yamaha,  
 900 Concourse Drive, Rapid City, SD 57703-4762  
 14771866 +E-mail/Text: Bankruptcy@ukfcu.org Nov 16 2018 03:18:29 University Of Kentucky,  
 1080 Export Street, Lexington, KY 40504-2761

TOTAL: 26

District/off: 0315-1

User: jmar  
Form ID: 149

Page 2 of 2  
Total Noticed: 41

Date Rcvd: Nov 15, 2018

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr M&T Bank  
cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 1, \* 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 17, 2018

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 15, 2018 at the address(es) listed below:

Daniel P. Foster on behalf of Joint Debtor Delayne A. Logsdon dan@mrdebtbuster.com,  
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com  
Daniel P. Foster on behalf of Debtor Jeremy L. Logsdon dan@mrdebtbuster.com,  
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com  
James Warmbrodt on behalf of Creditor M&T Bank bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpre03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5